

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

(973) 645-2580

**CHAMBERS OF
PETER G. SHERIDAN
JUDGE**

**MARTIN LUTHER KING, JR.
COURTHOUSE
P.O. BOX 999
NEWARK, NEW JERSEY 07101-0999**

April 18, 2008

LETTER ORDER

TO ALL COUNSEL OF RECORD

RE: Rocker Management, LLC, et al. v. Lernout & Hauspie Speech Products
Civil Action No. 00-cv-5965

Dear Counsel:

I have read the moving papers of Cowan and Co. as well as the letter memo from Mr. Redburn on behalf of Rocker. It is noteworthy that “the swaps” which are at the center of the pending motion for summary judgment were tangentially at issue last year in the previous motions for summary judgment. At that time, the swaps were inadequately explained as they related to the short sales; but I was satisfied that the swaps were not germane to the issues which I was deciding.

The issues decided last year by this Court are presently pending before the Third Circuit. At this juncture, it is prudent to await instruction from the Circuit Court rather than to engage in more piecemeal decision making. Accordingly, it is best to complete discovery before any further summary judgment motions are entertained. The motion is denied without prejudice.

s/Peter G. Sheridan
PETER G. SHERIDAN, U.S.D.J.

April 18, 2008